

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

Defendants.

DECLARATION OF TAMMY FRAME IN
SUPPORT OF MOTION FOR SUMMARY
JUDGMENT

1. I am a commissioned Police Officer employed with the Seattle Police Department for 4 years.

PETER S. HOLMES
Seattle City Attorney
600 Fourth Avenue, 4th Floor
P.O. Box 94769
Seattle, WA 98124-4769
(206) 684-8200

1 2. I was on duty on the night of January 17, 2009, proceeding in my marked patrol car to
2 another disturbance call, when I observed a confrontation between Mr. Hassan and three males.
3 As I pulled up to speak with the men, one of the men, who later identified himself as Timothy
4 Adams, approached me, pointed to Mr. Hassan, and said, "He stabbed me with a knife!" I asked
5 him who stabbed him, and he again pointed to Mr. Hassan. I observed fresh blood on Mr. Adams'
6 face that appeared to be consistent with a very recent stab wound from a knife. At that point, two
7 women and one other man all rushed up to me and confirmed that Mr. Hassan cut Mr. Adams with
8 a knife. At the same time, Mr. Hassan began slowly walking away from me.

9 3. After speaking with Mr. Adams, I spoke with Mr. Hassan, who identified himself as Mr.
10 Qodah. He did not deny stabbing Mr. Adams, but claimed he did so because the "Chinese men"
11 attacked him. Because I did not know whether Mr. Hassan still had a knife or other weapons, I
12 ordered him to sit down on the ground so I could check him for weapons. He refused to comply,
13 exclaiming something like, "I don't get down for no man!" I again ordered him to sit down on the
14 ground, and he refused to comply.

15 4. I called for backup at the scene. While I waited for backup to arrive, I pointed my
16 service weapon at Mr. Hassan because he was refusing to comply with my commands, I did not
17 know whether he was armed, he had just committed a violent crime, and I wanted to prevent him
18 from engaging in additional violence or fleeing the scene.

19 5. Once additional officers arrived at the scene, I holstered my weapon. Mr. Hassan
20 refused to comply with another officer's request to sit down on the ground. After one of the
21 officers drew his taser, Mr. Hassan put his hands on a nearby fence but continued to refuse to get
22 down on the ground. Another officer forcibly took plaintiff to the ground to effect handcuffing.
23 Plaintiff was searched for weapons and charged with assault in the second degree (felony assault).

1 The officers did not use the taser, or any weapons, against Mr. Hassan, and he was never struck,
2 punched, or kicked. After he was in handcuffs, I helped him to his feet, led him over to another
3 officer's patrol car for transport, and assisted in placing him inside the vehicle. I had no other
4 physical contact with Mr. Hassan.

5 6. Once Mr. Hassan was in custody, I spoke again to Mr. Adams, who told me that he and
6 his family and friends were approached on the street by Mr. Hassan, who was saying rude and
7 inappropriate things to Mr. Adams' girlfriend. Mr. Hassan followed the group for approximately
8 three blocks. Mr. Adams told me he got scared because Mr. Hassan would not stop following
9 them, so they confronted him. Mr. Hassan moved in on Mr. Adams, who then shoved Mr. Hassan.
10 At that point, Mr. Hassan stabbed Mr. Adams. I attempted to speak with the female who Mr.
11 Hassan harassed, but she was crying and appeared to be very upset. One of the witnesses told me
12 that after Mr. Hassan stabbed plaintiff, he was able to take the knife away from Mr. Hassan and
13 threw it over a fence into a nearby dog park to prevent Mr. Hassan from accessing it. The witness
14 described where he threw the knife, and I observed another officer recover a pocketknife from the
15 scene and place it into evidence. I spoke with several witnesses, all of whom confirmed that
16 plaintiff stabbed Mr. Adams. Plaintiff did not deny stabbing Mr. Adams, and the witnesses I spoke
17 with stated that plaintiff was the aggressor in the altercation.

18 7. I understand that plaintiff is claiming that his right to Equal Protection was violated. I
19 did not take any action against plaintiff or fail to take any action because of his race. I did not
20 refer to his race, or any other protected characteristic, at the scene, and I did not hear any other
21 officer do so.

22 8. Another officer transported Mr. Hassan to the West Precinct. After he left the scene, I
23 had no further contact with him or with any of the witnesses to this incident. I did not accompany

1 Mr. Hassan to the West Precinct and was not responsible for obtaining medical care for him. I
2 noticed that plaintiff had some minor, bloody lacerations on his face from the fight, including what
3 appeared to be a bloody lip, which is a common injury from a fight. None of his injuries appeared
4 to be serious, and I did not hear him complain about being injured.

5 9. Attached as **Exhibit A** is a true and correct copy of my narrative report taken from
6 General Offense Incident Report #2009-20501, dated January 17, 2009. I believe that everything
7 I wrote in my report is true and accurate. In my report, I refer to Mr. Hassan by the names
8 Oodah and Qodah, which are names he used to identify himself to me on January 17, 2009.

9 I declare under penalty of perjury under the laws of the State of Washington that the
10 foregoing is true and correct.

11 DATED this 29 day of August, 2012, at Seattle, King County, Washington.

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14 TAMMY B. FRAME